

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
SECURITIES AND EXCHANGE :  
COMMISSION, :  
:  
Plaintiff, :  
:  
-against- :  
:  
SIMON PIERS THURLOW, *et al.*, :  
:  
Defendants. X  
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21-CV-7700 (VSB)

**ORDER AND NOTICE OF  
INITIAL CONFERENCE**

VERNON S. BRODERICK, United States District Judge:

On September 5, 2024, I issued an Opinion & Order denying Plaintiffs' motion to dismiss. (Doc. 51.) All Defendants have now answered. (Docs. 60, 62–65, 69–70.) It is hereby:

ORDERED that the Court will not be holding an initial pretrial conference.

IT IS FURTHER ORDERED that, by October 25, 2024, the parties submit a joint letter, not to exceed three (3) pages, providing the following information in separate paragraphs:

1. A brief description of the nature of the action and the principal defenses thereto;
2. A brief explanation of why jurisdiction and venue lie in this Court. If any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. If any party is a partnership, limited partnership, limited liability company or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners and/or trustees;
3. A brief description of all contemplated and/or outstanding motions;
4. A brief description of any discovery that has already taken place, and/or that which will be necessary for the parties to engage in meaningful settlement negotiations;


5. A brief description of prior settlement discussions (without disclosing the parties' offers or settlement positions) and the prospect of settlement;
6. The estimated length of trial; and
7. Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive issue or novel issue raised by the case.

IT IS FURTHER ORDERED that, by October 25, 2024, Plaintiff submit a separate letter regarding its position, if any, on Defendants' current representation arrangement in light of the waivers of conflicts submitted by Defendants B. Boucher, B. Fidler, and J. Jordan. (*See* Doc. 78.)

IT IS FURTHER ORDERED that the parties also jointly submit to the Court a proposed case management plan and scheduling order. A template for the order is available at <http://nysd.uscourts.gov/judge/Broderick>. The status letter and the proposed case management plan should be filed electronically on ECF, consistent with Section 13.1 of the Court's Electronic Case Filing (ECF) Rules & Instructions, available at <https://nysd.uscourts.gov/rules/ecf-related-instructions>.

SO ORDERED.

Dated: October 3, 2024  
New York, New York

  
Vernon S. Broderick  
United States District Judge